

FUJY 18.239
09/760,580REMARKS

This amendment is in response to the Examiner's Office Action dated 4/21/2005. Reconsideration of this application is respectfully requested in view of the foregoing amendment and the remarks that follow. Claims 1, 2, 15, 16, 21, and 24 have been amended for clarification purposes without adding new matter. Support for the amended limitation can be found in previously presented claims 27 and 63.

STATUS OF CLAIMS

Claims 1-24 are pending.

Claims 22 and 23 are withdrawn from consideration as being directed to a non-elected invention.

Claims 3-14 and 17-20 were previously withdrawn.

Claims 1, 2, 15, 16, 21 and 24 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Morton (USPA 2002/0126679).

OVERVIEW OF CLAIMED INVENTION

The presently claimed invention provides a communication service information providing method and a communication network that is capable of acquiring or confirming both a communication service (subscribed to by a communication counter party) and identification information (an identifier corresponding to this communication service) with respect to a calling (originating) terminal. The method according to one aspect of the present invention comprises the steps of: (a) receiving a call used to select one of a plurality of communication services, which is transmitted from a calling subscriber to a called subscriber that subscribes to the plurality of communication services; and (b) providing information related to another

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communication service subscribed to by the called subscriber with respect to the calling subscriber when a communication to the called subscriber is in a non-connectable state.

The communication network, according to one aspect of the present invention, comprises: (a) reception means for receiving a call used to select one of plural communication services from a calling terminal with respect to a subscriber of a communication counter party that wants to establish a communication counter party that wants to establish a communication and subscribes the plurality of communication services; and (b) providing means for providing information related to another communication service subscribed to by the subscriber of the communication counter party that wants to establish the communication with respect to the calling terminal when a communication to the called subscriber is in a non-connectable state.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 1, 2, 15, 16, 21 and 24 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Morton (USPA 2002/0126679). To be properly rejected under 35 U.S.C. § 102(e), each and every element of claims must be disclosed in a single cited reference. The Morton patent publication, however, fails to provide, suggest, or render obvious many of the claimed elements of applicants' pending claims.

Morton teaches a method of providing information to a caller in response to a call placed to a called party, wherein the method comprises the steps of: automatically determining, in response to placement of the call, an identifier of greeting data associated with the called party; retrieving the greeting data for the called party over a network connection; and displaying a greeting web page including the greeting data to the caller during the call.

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By contrast, the present invention's system and method teach the limitations of receiving a call used to select one of plural communication services, which is transmitted from a calling subscriber to a called subscriber that subscribes to the plurality of communication services; and providing information related to another communication service subscribed to by the called subscriber with respect to the calling subscriber without connecting by the other communication service when a communication to the called subscriber is in a non-connectable state.

With respect to pending claims 1, 2, 15, 16, 21, and 24, the examiner cites paragraph 5 of the Morton reference as teaching all the limitations of the rejected claims. Paragraph 5 of the Morton reference teaches the automatic retrieval and display of a greeting web page in response to a caller placing a call to a called party. According to Morton, the "web page presents information related to the called party and gives the caller options for contacting the called party, redirecting the call or obtaining additional information." Regarding the motivation for the invention, Morton states that his invention "provides substantial advantages over a conventional recorded voice greeting."

The examiner is respectfully directed to figure 4 and 5 (and accompanying description) of the Morton reference, which collectively disclose a flowchart corresponding to Morton's method for displaying a greeting web page. In figure 4 of Morton, it is evident that, in all instances, the "greeting data" is always displayed (i.e., no discrimination is made regarding what conditions are to be met to display "greeting data") either prior to the called party answering a call or prior to the calling party realizing that a called party is not present (see step 405 in figure 4 of Morton, wherein step 405 always happens prior to the "call answered?" step 406). Hence, applicants

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contend that the "greeting data" is *always* displayed regardless of whether the call is answered or not.

In stark contrast, according to applicants' claims 1, 2, 15, 16, 21, and 24, information related to another communication service is provided when a communication to the called subscriber is in a non-connectable state, a teaching that is neither taught nor suggested by the Morton reference. An additional limitation of claims 1 and 15 is that the information related to another communication service is provided without connecting by the other communication service – a teaching that is absent and is neither taught nor suggested by the Morton reference (since Morton always connects with the called party and the "greeting data" is always provided prior to the calling party discovering if the called party is available to answer the call or not).

The examiner is also respectfully directed to figure 5 and accompanying descriptions on paragraphs 24-28 of the Morton reference, where it clearly states that the "calling party takes these actions whether or not the call is answered". Applicants, therefore, respectfully contend that according to Morton, the calling party decides, based on the options presented to him/her, what he/she should do (e.g., whether to initiate call to alternate destination for called party, whether to initiate call to other party, page called party, or other actions). However, there is no teaching or suggestion for a communication network to provide information related to another communication service subscribed to by the called subscriber – at least a limitation of pending claims 15 and 16.

As many of the limitations of the pending claims are not disclosed in a single cited reference, applicants respectfully contend that an improper U.S.C. § 102(e) rejection was

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made in the office action of 04/21/2005. Applicants hereby respectfully request the examiner to withdraw the rejections with respect to the pending claims.

SUMMARY

As has been detailed above, none of the references, cited or applied, provide for the specific claimed details of applicants' presently claimed invention, nor renders them obvious. It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested.

This amendment is being filed with a petition for extension of time. The Commissioner is hereby authorized to charge the petition fee, as well as any deficiencies in the fees provided to Deposit Account No. 50-1290.

If it is felt that an interview would expedite prosecution of this application, please do not hesitate to contact applicants' representative at the below number.

Respectfully submitted,



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